

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**DANIEL M. CASTILLO and MARY R.
CASTILLO,** §
Plaintiffs, §
§
v. § **Civil Action No. 3:13-CV-4554-M-(BH)**
§
BENEFICIAL FINANCIAL I INC., §
Defendant. §

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and conducting a *de novo* review of those parts of the Findings and Conclusions to which objections have been made, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

The Court notes, however, that in their prayer for relief, Plaintiffs request an opportunity to re-plead. As counsel should well know and as Magistrate Judge Ramirez so stated in footnote 7 to her Findings, Conclusions, and Recommendation, at this stage of the litigation, to amend their Complaint, Plaintiffs must file a proper Motion to Amend, which they have not done. Plaintiffs may do so on or before November 9, 2015, attaching a Complaint they believe to be legally and factually sufficient. If they do not do so on or before November 9, 2015, this case will be **DISMISSED** with prejudice.

SIGNED this 29th day of October, 2015,



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS